

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ JUL 26 2005 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ESTELLE WILSON,

Plaintiff,

-against-

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.  
-----X

JUDGMENT  
04-CV- 2426 (FB)

A Memorandum and Order of Honorable Frederic Block, United States District Judge, having been filed on July 22, 2005, remanding plaintiff's case to the Commissioner for further proceedings consistent with the Court's Memorandum and Order of July 21, 2005; directing the Commissioner on remand, to separately consider the effect of each of plaintiff's nonexertional limitations on her ability to perform medium work, and to determine whether these limitations so "significantly diminish" the range of medium work available to her that testimony from a vocational expert is required; ordering that on remand, the Administrative Law Judge is directed to seek additional medical evidence from plaintiff's treating physician, including an opinion regarding existence, nature and severity of any disability caused by her arthritis; and further directing the Commissioner upon remand to collectively consider the effect of all of plaintiff's claimed disabilities, as well as any new evidence presented by plaintiff, in reaching a determination regarding her ability to perform substantial gainful work existing in the economy; it is

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ORDERED and ADJUDGED that plaintiff's claim is remanded to the Commissioner for further proceedings consistent with the Court's Memorandum and Order of July 21, 2005; that on remand the Commissioner is directed to separately consider the effect of each of plaintiff's nonexertional limitations on her ability to perform medium work, and to determine whether these limitations so "significantly diminish" the range of medium work available to her that testimony from a vocational expert is required; that the on remand, the Administrative Law Judge is directed to seek additional medical evidence from plaintiff's treating physician, including an opinion regarding the existence, nature and severity of any disability caused by her arthritis; and that the Commissioner is accordingly directed upon remand to collectively consider the effect of all plaintiff's claimed disabilities, as well as any new evidence presented by plaintiff, in reaching a determination regarding her ability to perform substantial gainful work existing in the economy.

Dated: Brooklyn, New York  
July 22, 2005

ROBERT C. HEINEMANN  
Clerk of Court